

REMARKS

Kindly enter and consider the present amendment and remarks prior to acting on the presently filed RCE. The amendment is substantially the same as the one mailed January 13, 2004. The format of claim 11 has been returned to that of original claim 11 herein. Additionally, the header has been corrected on pages 2-7 of the amendment since that shown on the previously filed paper was incorrect.

With the entering of this amendment, claims 1-16 will be pending claims 1-10 are withdrawn from consideration by the examiner as being directed to a non-elected invention and claim 11 has been amended.

The examiner is requested to enter this amendment since it is directed to eliminating the rejections under 35 USC 112 and distinguishing over the art by clarifying the claim language. The amendments do not introduce any new issues and thus do not require a further search or consideration of new issues by the examiner.

Claim 11 has been amended to clearly indicate that there is a gaseous reactant and a liquid reactant and a solid which is a catalyst and that a reaction occurs by reacting the gaseous reactant and liquid phase reactant together in a gas phase and liquid phase. While there may be more than one gaseous reactant and liquid reactant, there are at least one of each which produce a reaction. It is believed that these amendments negate all the specific objections raised by the examiner in the 35 USC 112, second paragraph rejections of claims 11-16.

Claims 11, 12, 15 and 16 stand rejected as anticipated by WO 98/16463

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(equivalent to U.S. 6,375,920.)

This rejection is not applicable to these amended claims for the reasons recited in the previous amendment dated August 21, 2003.

The claims clearly indicate that the process involves a gaseous reactant and a liquid reactant which produces a reaction. The reference process which is directed to two gaseous reactants, accordingly, does not anticipate these claims.

Additionally, the amended claims also distinguish from WO 98/16463 by indicating that the process is operated under "isothermal conditions".

The rejection of claims 13 and 14 as being obvious over WO 98/16463 is not applicable for the reasons recited in the amendment dated August 21, 2003.

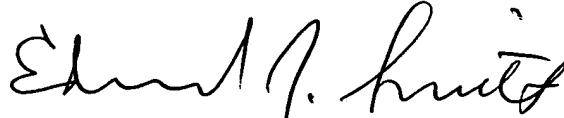
In view of the above amendments and comments the case is now clearly in condition for allowance.

Favorable action by the examiner is solicited.

Should a fee be required, kindly charge Deposit Account No. 11-0345.

Respectfully submitted,

KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read "Edward J. Smith", is written over the printed name.

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